

TITLE 5**SECTION****REVISION**

310 CMR 15.002	Revises the definition of impervious material to remove inclusion of the B-horizon or subsoil for new construction
310 CMR 15.004(3)	Removes mandate for sewer hookups in certain situations
310 CMR 15.010 and 15.011	Clarifies division and aggregation of facilities and commonality of facilities
310 CMR 15.017(2)	Permits a person with a Bachelor of Arts or Science degree or more advanced degree in Soil or Geological Science from an accredited college or university, to be eligible to become a soil evaluator
310 CMR 15.017(4)	Improves the MassDEP's authority to enforce against soil evaluators
310 CMR 15.017(7)	Requires license renewal every three (3) years for soil evaluators beginning 1/1/07 with CEU's beginning 1/1/10
310 CMR 15.019	Authorizes boards of health to enforce against installers
310 CMR 15.102	Clarifies the number of deep holes required for primary and reserve areas, requires that deep hole testing be witnessed by a board of health representative
310 CMR15.105(6)	Eliminates the need for an overnight soak during percolation testing of soils with a slow percolation rate
310 CMR 15.202(5)	Shortens MassDEP's review time for RSF/ equivalent technology reviews
310 CMR 15.203	Revisions to design flows to better address facilities such as churches, housing for the elderly and supermarkets
310 CMR 15.203(6)	Outlines a new application process for nonresidential design flows that are substantially different from those outlined in 310 CMR 15.206
310 CMR 15.211 (1), 310 CMR 15.211 (2) and 310 CMR 15.211(3)	Expands the setback requirements to include setbacks to holding tanks, pump chambers, grease traps and treatment units
310 CMR 15.216	Redrafts the Nitrogen Aggregation section to conform to the Department's policy

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310 CMR 15.223, 310 CMR 15.224, 310 CMR 15.226, 310 CMR 15.227, 310 CMR 15.231(1), 310 CMR 15.251(1) and 310 CMR 15.254	Clarifies various design issues such as the separation between trenches, septic tank requirements, the number of doses to a soil absorption system
310 CMR 15.247(2)	Permits the use of MassDEP-approved geotextile fabric in place of peastone
310 CMR 15.260(1)	Extends presumptive approvals to tight tank applications and shortens review time for such applications
310 CMR 15.260(8)	Allow seasonal homes that have a failure and can install a fully complying system to delay an upgrade and install a tight tank as long as the facility remains seasonal
310 CMR15.262	Provides specific regulations for greywater systems. Allows greywater systems for new construction: residential facilities need to demonstrate that a fully complying system can be installed, both commercial & residential facilities must comply with the nitrogen loading requirements of 440 gallons per acre. Provides an allowable nitrogen loading rate for residential facilities of 660 gallons per acre and up to 770 gallons per acre on a case-by-case as determined by the Department for commercial and public facilities. Allows: a 50% reduction in the SAS when a composting toilet is used; requires nine inches of cover over the SAS: in remedial upgrades the groundwater separation may be reduced to 2 feet were the percolation rate is greater than 2mpi or 3 feet were the percolation rate is 2 mpi or less.
310 CMR 15.292(1)	Exempts cluster developments from the requirement that shared systems demonstrate that the design flow does not exceed the design flow if standard Title 5 systems were constructed.
310 CMR 15.301(4)	Excludes inspections for transfers of residential property between spouses, parents and children, siblings and to revocable trusts.

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310 CMR 15.301(4)	Expands the validity of Certificates of Compliance in lieu of a system inspection from 2 years to 3 years provide the system was pumped once during the third year
310 CMR 15.303(3) & 15.304(5)	Includes a failure criteria in the inspection provision that cesspools between 2000 - 10000gpd is failing to protect public health, safety, welfare and the environment.
310 CMR 15.340(7)	Requires license renewal every three (3) for system inspectors beginning 1/1/07 and CEUs beginning 1/1/10
310 CMR 15.340(8)	Improves MassDEP's authority to enforce against system inspectors
310 CMR 15.353	Clarifies that emergency repairs may only be conducted by persons possessing a valid Disposal System Installer's Permit
310 CMR 15.405	Permits more upgrades to proceed under Local Upgrade Approval rather than mandate MassDEP variance approval, depth of components, sieve analysis for upgrades, one deep hole for upgrades, reduces one (1) foot separation between high groundwater and inlet/outlet tee's
310 CMR 15.412(2)	Clarifies language related to presumptive approvals of variances by MassDEP
310 CMR 15.420	This section was replaced with 15.421 and 15.422
310 CMR 15.421	Variances that are presumptively approved are appealed to Superior Court
310 CMR 15.422	Clarifies appeal language